

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:19-CV-94-D

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
DOUGLAS DALE CLINE, et al.,)	
)	
Defendants.)	

This case comes before the court on plaintiff's motion (D.E. 51) to excuse its representatives from the United States Postal Service ("USPS") with settlement authority from either in-person or any attendance at the session of the court-hosted settlement conference to be held on 26 October 2021. The motion proposes, in relevant part, that "Assistant United States Attorney ["AUSA"] Neal Fowler and USPS Attorney Wendy Harris will participate in person and by video conference [respectively]." Mot. 3 ¶ 7. Defendants oppose the full range of relief sought by plaintiff, but are agreeable to having just one representative of plaintiff with settlement authority present in person. *See* Defs.' Resp. to Mot. (D.E. 52) 1-2 ¶ 2.

As reflected in Local Civil Rule 101.2(d)(1)(i) (E.D.N.C.), it is generally preferable that all party representatives at a court-hosted settlement conference attend in person with full settlement authority. Nevertheless, in light of the considerations noted in the motion and other relevant considerations, the court in its discretion **ALLOWS** plaintiff's motion on the following terms:

1. Keith Harris, USPS Director, Surface Transportation Category Management Center, is excused from in-person attendance at the 26 October 2021 session of the court-hosted

settlement conference, but shall, to the extent practicable, make himself available by telephone throughout the entire session.

2. AUSA Josh Royster and AUSA Michael Anderson shall be available by telephone throughout the entire session.

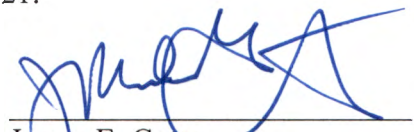
3. USPS Attorney Wendy Harris shall participate in the entire session either in person or through videoconference, specifically, the court-based Cisco Meeting System (“CMS”). Attached hereto are instructions on use of CMS by Information Technology Administrator Glenna Falk in the Clerk’s Office, whose contact information is included with the instructions. In the event USPS Attorney Harris elects to attend by teleconference, AUSA Fowler shall arrange with Ms. Falk for USPS Attorney Harris to conduct a trial run using CMS no later than Friday, 22 October 2021.

4. AUSA Neal Fowler shall attend the entire session in person.

5. Nothing herein shall be deemed to limit the court’s discretion with respect to attendance at or other arrangements for any further sessions of the court-hosted settlement conference or other settlement proceedings in this case.

6. The Clerk shall serve copy of this Order on Ms. Falk by email on the date of its filing.

SO ORDERED, this 20th day of October 2021.


James E. Gates
United States Magistrate Judge

INSTRUCTIONS ON USE OF CMS

The link to CMS is:

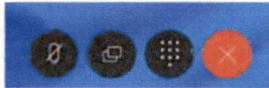
https://join.uc.uscourts.gov/invited.sf?secret=pxcfqlRsXPaPG8RL5J3P_A&id=609435139

Either click the link or copy the link and paste it into the Google Chrome address bar. Whichever method you choose, the Google Chrome browser must be used.

You will then see a screen that reads “Joining Gates test.” There is a place for you to type your name. After you enter your name, click the “Join meeting” button.

That will take you to a page for you to select your camera, microphone and test your speakers. You should see yourself in a window beside the camera if you have selected the correct camera (if you have more than one choice) and uncovered your camera. Using a headset with your computer can minimize audio issues in the call. Click to test your speakers and adjust the volume.

When you are ready, click the “Join meeting” button. You are now in the meeting room. At the bottom of the main screen, you will see four buttons:



The first mutes and unmutes your microphone. Unless you are speaking, it should be muted. The second button allows you to share your screen, and the third gives you a touch tone keypad. The last button ends your connection to the call.

You will only see yourself if you move your mouse on the screen. In the small self-view window, there are three buttons. The first one turns your camera on and off.

If you have any questions or issues please call Glenna Falk at 919-272-1379 or email her at glenna_falk@nced.uscourts.gov.